



WYOMING LEGISLATIVE SERVICE OFFICE

Memorandum

DATE May 26, 2021
TO Members, Joint Corporations, Elections and Political Subdivisions Interim Committee
FROM Ted Hewitt, Senior Staff Attorney
SUBJECT Redistricting: Interim Topic, Guidelines and Past Principles

This memorandum provides the Committee with three items relating to State redistricting. First, it provides the Committee's approved interim topic on redistricting. Second, it provides guidelines for conducting redistricting work adopted by the Management Council for the 2021 interim. And third, it provides the redistricting principles adopted by the Joint Corporations, Elections and Political Subdivisions Interim Committee for the 2011-2012 redistricting process.

1. Interim Topic

Priority #: 1 Redistricting of the Wyoming Legislature.

The committee is tasked with coordinating and managing the redistricting of the Wyoming Legislature following the 2020 United States Census Bureau data for Wyoming. To accomplish this task, the committee will: 1) Manage LSO redistricting staff; 2) Provide abundant opportunity for legislator and public input on redistricting; 3) Develop a database of proposed alternative redistricting plans which the public and election officials would have ample opportunity to review and comment upon; and 4) Prepare a single redistricting bill for introduction in the 2022 legislative session which would be in a format that facilitated adoption by amendment of an alternative redistricting plan. To accomplish these goals, the committee will follow two tracks. The full committee will meet four or five times during the interim for two day meetings. These meetings are tentatively scheduled for February, April/May, June/July, October/November and December/early January 2022. One day of each full committee meeting will be devoted to redistricting, including receiving public comment and developing draft plans. Prior to March 31, 2021 the committee shall report to Management Council all discussions, considerations and actions it took at its February meeting related to legislative redistricting, including but not limited to proposed meeting schedule, adoption of redistricting principles and plan for initiating the committee's work. The committee will also hold eight to twelve regional meetings throughout the state in the summer months to receive public comment on redistricting. These regional meetings will be attended by one or both of the committee chairman, and by any committee member who wishes to attend. It will be left to the discretion of Management Council whether to provide salary, travel and per diem for local legislators who attend a regional meeting. All redistricting plans which a committee member or other legislator submits for development must receive initial approval from the committee chairmen.

2. Guidelines for Conducting 2021 Redistricting Work Adopted by the Management Council

General Committee Guidelines.

- The Joint Corporations, Elections and Political Subdivisions Interim Committee is charged with oversight of the redistricting effort of the Wyoming Legislature in preparation for the 2022 session.
- The Committee will provide summaries of its redistricting interim activities to Management Council on a periodic basis.
- The Committee will seek active and informed public participation in its redistricting activities. To this end, the Committee shall meet as often as necessary to carry out its obligations and will hold public hearings in various locations around the state to maximize public participation.
- The Committee shall adopt Redistricting Principles in conformance with established legal principles.

Committee Goals:

- The Committee will develop a library of alternative plans.
- Ensure that the public and election officials will have ample opportunity to review and comment upon the library of redistricting plans.

Operations of LSO Redistricting Staff:

- LSO Redistricting Staff shall be managed in accordance with Management Council policies and guidelines. LSO Redistricting Staff shall serve as the focal point for the redistricting effort.
- Unless otherwise provided by Council, the Redistricting Staff will develop redistricting plans under the direction of the Redistricting Committee.
- Redistricting Staff shall maintain a website to keep the public apprised of developments and provide public access to redistricting plans and information.
- Census population data and census maps will be made available to the public at cost.
- Maps prepared by the Redistricting Staff under the direction of the Committee will be made available for review by the public.

Committee Processing of Redistricting Plans.

Proposals for Redistricting Plans:

- Proposals requesting Redistricting Staff to develop plans will be made through the Committee.
- The Committee will not unreasonably delay the request of any Legislator for the development of a redistricting plan but will be responsible for prioritizing the work of the redistricting staff and will seek to minimize the development of duplicative plans.
- Subject to Committee prioritization of workload, Redistricting Staff will assist individual legislators in developing proposed redistricting plans.
- Public input on proposed plans will be solicited throughout the course of the Committee's work, however, proposals for development of new plans by members of the public will be considered by the Committee only at the request of a Committee member or other Legislative sponsor.
- Unless specifically requested by a Legislative sponsor, a draft plan will not be treated as confidential by the Committee or the Redistricting Staff.

Initial Committee Review:

- Following development of a draft plan by the Redistricting Staff, the plan will be submitted for initial Committee review and comment. The Committee's review will include an analysis of plan criteria including target population variances and practical considerations in the administration of the election process.
- If the Committee determines a draft plan does not, or cannot with reasonable modification, meet plan criteria such as target population variances or presents significant issues affecting the administration of elections, it shall so notify the Legislative sponsor and provide opportunity for the sponsor to develop proposed modifications.

Submission to Election Officials for Review and Comment:

- A draft plan meeting plan criteria will be made available by the Committee to County election officials for review and recommendation regarding election administration issues (e.g., the proposed plan as drawn inappropriately identifies a household; a proposed voter precinct is split by a significant barrier, etc.).

Final Report from the Committee and Bill for Introduction:

- On or before December 20, 2021, the Committee will present a final report to the Legislature recommending legislative consideration of a primary redistricting plan. The report may identify one or more primary alternatives. Minority reports may be attached at the request of any Committee member.
- The Committee will prepare and sponsor, or present to Management Council for sponsorship, a single redistricting bill for introduction in the 2022 legislative session which will be in a format that will facilitate adoption by amendment of an alternative redistricting plan.

3. Redistricting Principles Adopted by the Corporations Committee in 2011

In April 2011, the Joint Corporations, Elections and Political Subdivision Interim Committee, which was tasked with sponsoring a redistricting bill for introduction during the 2012 session, adopted a list of "Redistricting Principles". Any plan developed by the Committee was required to adhere to the Redistricting Principles. The Redistricting Principles adopted by the Committee were:

1. Election districts should be contiguous, compact, and reflect a community of interest;
2. Population of election districts should be substantially equal, with the range of deviation not to exceed 10%;
3. To the greatest extent possible, in establishing election districts:
 - a. County boundaries should be followed;
 - b. The majority of the population of each county should be in one district;
 - c. Census blocks should be followed.
4. The plan should avoid diluting voting power of minorities in violation of the Voting Rights Act;
5. The House shall have 60 seats and the Senate shall have 30 seats;
6. Consideration should be given to two (2) contiguous House districts in each Senate district; and
7. Significant geographical features should be considered in establishing districts.